



Natural Resources Conservation Service
6013 Lakeside Blvd.
Indianapolis, IN 46278

December 12, 2006

INDIANA BULLETIN NO. 300-7-7

SUBJECT: LTP – Environmental Quality Incentives Program fiscal year 2007 Environmental Emergencies and CNMP-only Funding

Purpose: To distribute guidance on fiscal year 2007 EQIP Priority Funding opportunities.

Expiration Date: September 30, 2007.

In fiscal year 2007, 10% of Indiana's Environmental Quality Incentives Program (EQIP) funding will be devoted to solving immediate environmental emergencies associated with confined livestock operations, and for CNMP-only applications. Applications determined eligible for the Environmental Emergencies consideration by the State Office, and CNMP-only applications, will be funded on a first-come, first-served basis as long as EQIP FA funds are available; will be made independent of other EQIP applications, regardless of ranking score; and without the need to wait for a funding selection period. All other EQIP policies and requirements (cost-share rates, caps, eligibility, etc.) are the same as for traditional EQIP applications.

NOTE₁: applicants currently under an Indiana Department of Environmental Management (IDEM) Enforcement action are not eligible for EQIP.

CNMP-only applications will contain only practice codes 100 and 910. Environmental Emergency applications will contain only the practice(s) necessary to address the immediate environmental emergency (including practice codes 100 and 910 if a CNMP is required or requested).

Only **confined livestock operations** that have existing facilities that have failed or possess a high probability of immediate failure are eligible for the Environmental Emergency funding.

Examples of livestock operations that have existing facilities that have failed include:

Scenario	Primary Eligible Practices
○ Waste Storage systems that are leaking	313, 359, 360, 521A, 521B, 521C, 100, 910
○ Waste Storage systems with failed structural components (berms, walls, etc.)	313, 359, 360, 521A, 521B, 521C, 100, 910
○ Sites that have experienced mass animal mortality.	316, 317

Examples of livestock operations that possess a high probability of immediate failure include:

Scenario	Primary Eligible Practices
○ Waste Storage systems with structural components likely to fail (significant cracks in load-bearing concrete areas, rotted/broken wood in load-bearing areas, etc.)	313, 359, 360, 521A, 521B, 521C, 100, 910

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Applicants will be required to develop a Comprehensive Nutrient Management Plan (CNMP) for all contracts containing Waste Storage Facility (313) and Waste Treatment Lagoon (359) within 6 months of receiving cost-share for the 313 or 359. Technical assistance funds for a CNMP should be scheduled up front for these applications to cover the development of the CNMP. Funds for technical assistance will be subject to TA fund availability. Any applicant who does not complete the CNMP within 6 months of receiving cost-share for the facility will have their contract terminated and costs will be recovered.

Examples of situations that are not eligible for the Environmental Emergencies, but should be considered through the traditional EQIP process include:

Scenario	Primary Eligible Practices
o Facilities referred by IDEM with storage violations, but not in enforcement	313, 359
o Production systems with insufficient storage	313, 359
o Sites with improper dead animal disposal	316, 317
o Sites with 'clean water' coming in contact with animals	558, 362
o Improper Manure Transfer	634
o Improper spreading of manure	633
o New/Expanded facilities	313, 359

If an Environmental Emergency as described above is discovered, proceed as follows:

- 1) **District Conservationist:**
 - a) Enter application in ProTracts.
 - b) Verify the producer's eligibility for EQIP.
 - i) Address any eligibility issues prior to proceeding.
 - c) Document the situation using the '*CNMP Manure & Wastewater Handling & Storage Inspection Checklist*' (<http://www.in.nrcs.usda.gov/technical/agronomy/agronomy.html>) or equivalent, pictures, etc.
 - d) Submit the collected documentation to the Area Office within 5 working days of the application date.
- 2) **Area Office:**
 - a) Review the documentation, complete a site visit if needed, to ensure that the request is complete and consistent with the intent of the special funding consideration.
 - b) Submit the documentation to the State Conservation Engineer within 10 working days of the application date.
- 3) **State Conservation Engineer:**
 - a) Review documentation, complete a site visit if needed, to make a recommendation for funding.
 - b) Inform the Assistant State Conservationist – Programs of the results of the review and recommendation for funding within 20 working days of the application date.
- 4) **Assistant State Conservationist - Programs:**
 - a) Transfer sufficient funds to the county in ProTracts, and notify the Area Conservationist, Area Program Specialist, and District Conservationist within 25 working days of the application date.
- 5) **District Conservationist:**
 - a) Get the contract signed by the participant and obligated using standard EQIP procedures within 30 working days of the application date.
 - b) Work with area engineering staff to get practice installed in a timely manner.

NOTE₂: the planned repair or practices must meet applicable Electronic Field Office Technical Guide (eFOTG) Standards, and an Engineering Plan must be approved prior to starting any of the work.

For CNMP-only applications proceed as follows:

- 1) **District Conservationist:**
 - a) Enter application in ProTracts.
 - b) Verify the producer's eligibility for EQIP.
 - i) Address any eligibility issues prior to proceeding.
 - c) Send an e-mail to the Area Office indicating application is ready for approval within 2 working days of application date.
- 2) **Area Office:**
 - a) Review the application to ensure that the request is complete and consistent with the intent of the special funding consideration.
 - b) Send an e-mail to the Assistant State Conservationist – Programs indicating application is ready for approval within 4 working days of application date.
- 3) **Assistant State Conservationist - Programs:**
 - a) Transfer sufficient funds to the county in ProTracts, and notify the Area Conservationist, Area Program Specialist, and District Conservationist within 6 working days of application date.
- 4) **District Conservationist:**
 - a) Get the contract signed by the participant and obligated using standard EQIP procedures within 10 working days of the application date.

Funds set aside to address CNMPs-only and Environmental Emergencies that are not obligated by the beginning of the last round of fiscal year 2007 Indiana EQIP funding will be used for other livestock applications.

If you have any questions concerning the EQIP Environmental Emergencies or CNMP-only opportunities, please contact Harold Thompson, Assistant State Conservationist – Programs at (317) 290-3200, ext. 386; Mike Cox, State Conservation Engineer, at ext. 353; or Shannon Zezula, State Resource Conservationist, at ext. 388

/s/

JANE E. HARDISTY
State Conservationist